

In Re Patent Application of:
JACKSON
Serial No. 10/654,745
Filing Date: SEPTEMBER 4, 2003

REMARKS

Applicant wishes to thank the Examiner for the thorough examination of the present application, for allowing Claims 13-18, and for identifying allowable subject matter in Claims 2-4, 8, 9, 11, 12, 20, and 21. Independent Claim 1 has been amended to more clearly define over the prior art. The patentability of the claims is discussed in greater detail below. Favorable reconsideration is respectfully requested.

I. The Claimed Invention

Amended independent Claim 1, for example, is directed to a juice extractor comprising pairs of opposing cups being relatively movable for squeezing fruit therebetween. A pair of drive members extends along opposite sides of the pairs of opposing cups. A plurality of strainer tubes is associated with respective pairs of opposing cups. An orifice tube beam having opposing ends is slidable along medial portions of respective drive members. A plurality of orifice tubes extends from the orifice tube beam for reciprocal movement within respective strainer tubes. A pair of orifice tube beam locks is carried by the medial portions of the respective drive members for selectively locking the orifice tube beam to the medial portions of the respective drive members to prevent relative movement of the orifice tube beam along the respective drive members in both directions.

Independent Claim 10 is also directed to a juice extractor, but without the pair of orifice tube beam locks, and instead including an end member connected between opposing ends of the pair of drive members, and a lift assist. The lift assist is connected between the end member and the orifice tube beam for moving the orifice tube beam between a lower maintenance position and an upper operating position.

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The lift assist comprises a pair of hinges extending between the end member and the orifice tube beam. The lift assist further comprises a spring connected to the hinges to urge the orifice tube beam to the upper operating position, and a lift assist handle connected between medial portions of the pair of hinges.

Independent Claim 19 is directed to the subcombination of the lift assist with the handle being connected between medial portions of the pair of hinges.

I. Claims 1 and 5-7 Are Patentable

The Examiner rejected independent Claim 1 as unpatentable over the Hait patent. The Hait patent discloses an apparatus for extracting juice from fruit that includes a mechanism 251 comprising a pair of arms 254 which are fixed on opposite ends of the shaft 249 and the upper ends of which are pivotally connected to links 255, the upper ends of which are pivoted to the beam 252. The beam 252 is slidably connected on each end to the shafts 245. Stop lugs 256 are provided on the arms 254, which halt relative rotation of the arms 254 and links 255 when the latter have reached an extended, over-dead-center relation in which they hold the beam 252 upwardly snugly against the collars 246. (See column 9, lines 22-31).

In contrast, amended independent Claim 1 recites a pair of orifice tube beam locks carried by the medial portions of the respective drive members for selectively locking the orifice tube beam to the medial portions of the respective drive members to prevent relative movement of the orifice tube beam along the respective drive members in both directions. The Hait patent discloses a collar carried by the drive member to prevent movement in only one direction. The arms, that may prevent movement in the other direction, are not carried by

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the medial portion of the drive member. As noted at paragraph 0004 of the present application, this arrangement of Hait means that the weight of the orifice tube beam is supported by its hinged arms that, in turn, may be subject to failure during reciprocal movement of the drive members.

Accordingly, amended independent Claim 1 is patentable. The dependent claims, which recite yet further distinguishing features of the invention, are also patentable, and require no further discussion.

II. Claims 10 And 19 Are Patentable

The Examiner rejected independent Claims 10 and 19 as unpatentable over the Hait patent in view of the Wahlstedt patent. The Hait patent is discussed above. The Wahlstedt et al. patent discloses a torsion friction spring connected to a hinge. The hinge connects a computer flip-top screen and a computer base in a notebook computer with the spring controlling the opening and closing characteristics of the flip top screen.

Independent Claim 10, for example, recites a lift assist comprising a pair of hinges extending between an end member and an orifice tube beam, and a spring connected to the hinges to urge the orifice tube beam to the upper operating position. In addition, Claim 10 recites that the lift assist handle is connected between medial portions of the hinges. This claimed arrangement of the lift assist handle connected to the medial portion of the hinges is in sharp contrast to Hait which discloses the lift assist handle 250 welded to the end member 249 which is adjacent to the lower end of the hinges as perhaps best seen in FIGS. 3 and 17, for example. The lift assist handle 250 of Hait is rotated to thereby

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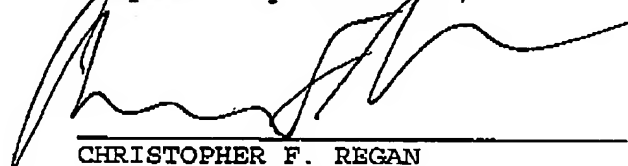
rotate and operate the hinges defined by the arms 254, 255, the lower ends of which are also welded to the end member 249.

Moreover, the Wahlstedt et al. patent has nothing to do with juice extraction -- it discloses a spring that controls a computer flip-top screen's opening and closing. Thus, there is no motivation to selectively combine bits and pieces of the Hait and Wahlstedt et al. patents. Independent Claim 19 includes similar recitations to Claim 10. Accordingly, independent Claims 10 and 19 are patentable, as are their dependent claims that recite yet further patentably distinguishing features.

CONCLUSIONS

In view of the amendments to the claims and the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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